

CATEGORICAL EXCLUSION DOCUMENTATION

A. Background

BLM Office: Prineville District – Central Oregon Resource Area

National Environmental Policy Act (NEPA) register #: DOI-BLM-ORWA-P040-2016-0002-CX

Project/lease/serial/case file #: Gary Miller (RAS: 3602044), Russell J. Young (RAS:3602531)

Proposed action title: Transfer of grazing preference on the Franks Creek Allotment (04041) from Gary Miller to Russell J. Young

Location: Approximately 1/2 mile northeast of Dayville, Oregon. On the attached map, the Allotment associated with the proposed action is outlined in black. Dayville is represented by a red star.

Description: Transfer of an existing grazing lease (24 cattle, 196 AUM, 4/1 – 11/30) preference on the Franks Creek Allotment from Gary Miller to Russell J. Young. The existing grazing management and Terms and Conditions of the lease would remain unchanged.

Background: On November 17, 2014, this office received a transfer application from Russell J. Young transferring the grazing preference associated with the Franks Creek Allotment from Gary Miller to Russell J. Young. Mr. Young submitted a deed with the transfer application showing he owns the base property attached to the preference for the Franks Creek Allotment (841.53 acres) attached to the grazing preference (196 AUMs) for the Franks Creek Allotment. After reviewing the application submitted by Russell J. Young, and reviewing their past performance record, they meet all the qualifications to graze on public lands.

B. Land use plan conformance

Land use plan name: John Day Basin Record of Decision and Resource Management Plan, April 2015

The proposed action is in conformance with the above plan because it is specifically provided for in the following land use plan decisions:

Page 86, Objective L2; "Maintain forage production and livestock use at levels sufficient to provide a sustained flow of local economic benefits and to protect non-market values."

Page 86, Management Actions #1; "Allow permitted/leased livestock grazing at the use levels (AUM) described in appendix K."

Page 87, Objective L3; "Meet multiple use objectives as stated in the John Day Basin RMP...."

Page 323, Appendix K; "[Allotment] # 4041...Franks Creek...BLM acres 2,109, BLM AUMs 196, Grazing Period Begin- End 04/01 – 11/30..."

The RMP is available at the BLM office or on the internet at
http://www.blm.gov/or/districts/prineville/plans/files/pdo_rodrrmp_John_Day_Basin_ROD-RMP_06102015.pdf

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.5D, effective August 14, 2007, "Approval of transfers of grazing preference." This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed and none of the extraordinary circumstances apply as described in 516 DM 2, Appendix 2, and effective June 21, 2005. See attached CX Extraordinary Circumstances Documentation checklist beginning on page 3.

D. Signature

I considered the above Proposed Action, land use plan, compliance with 516 DM 11.5D (1), and the lack of extraordinary circumstances potentially having effects that may significantly affect the environment. Based on this review, there is no potential for significant impacts so further NEPA analysis is not needed.

Responsible official: H7 "Chip" Faver
Chip Faver, Field Manager, Central Oregon Resource Area

12-10-15
Date

Contact person

For additional information concerning this review, contact: Adam Belew, RMS, Prineville District Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone: (541) – 416 – 6714, E-mail: abelew@blm.gov.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed action would:			
2.1	Have significant impacts on public health or safety.		X
Rationale: The administrative action of transferring a grazing lease has not been associated with having significant impacts on public health or safety, as of yet. In addition, the end result of a grazing lease transfer is the continuation of a land use which is in conformance with the John Day Basin RMP.			
2.2	Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
Rationale: The proposed action does not have significant impacts on the items listed. The geographic boundaries of the proposed action do not contain park or refuge lands, wilderness, national natural landmarks, principal drinking water aquifers, prime farmlands, wetlands, or national monuments.			
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: The proposed action is in conformance with the John Day Basin RMP which did not identify any highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. Grazing is provided for in the Livestock Grazing instructions on page 86 of the RMP, "Allow permitted/leased livestock grazing at the use levels (AUM) described in Appendix K."			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The administrative action of transferring a grazing lease from one person to another does not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks beyond what was disclosed in the John Day Basin RMP.			
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: Thousands of grazing permit/lease transfers have occurred every year starting in 1935, therefore the proposed action would not be regarded as precedent setting with potentially significant environmental effects. Due to the management constraints imposed by the John Day Basin RMP, the proposed action is within the limits of acceptable environmental effects.			
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: Past actions that are similar to the proposed action did not result in significant direct, indirect, or cumulative environmental effects. The proposed action does not alter the			

magnitude of environmental effects because it is an administrative action which does not change the already existing uses in the planning area.		
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		X
Rationale: There are no properties listed or eligible for listing on the National Register of Historical Places within the grazing allotment for which this transfer of grazing lease is occurring.		
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
Rationale: The proposed action is consistent with the NMFS 2010/00159 (May 2011) Biological Opinion (BI-OP) that states that continued grazing within the Franks Creek Allotment would result in no effect on the listed species covered by this BI-OP; Middle Columbia River (MCR) steelhead (<i>Oncorhynchus mykiss</i>) or associated habitat.		
2.9 Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: The proposed action conforms to the direction given for the management of public lands within the John Day RMP, which complies with all applicable laws, such as the Clean Water Act and Endangered Species Act.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: The transfer of a grazing permit/lease would have no measurable impact on low income or minority populations; however, it would provide public grazing land for a ranch operation which may employ low income or minority persons.		
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
Rationale: There is no documentation of limited access or use of sacred Indian ceremonial sites regarding the propose action. In addition, there is no documentation that the physical integrity of such sites, if they exist, has been significantly adversely affected. Should an adverse situation arise, action would be taken to alleviate the problem.		
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X
Rationale: The proposed action would not measurably change the rate of introduction, continued existence, or spread of noxious weeds or invasive species. Livestock entering public lands have the potential to transport some viable undesirable seed via hide or gut; however, the possibility of introducing undesirable plants not already in the area, is remote.		